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Filing date: **05/05/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

|                        |  |
|------------------------|--|
| Proceeding             | 92046807   |
| Party                  | Plaintiff<br>FIJI Water Company LLC; Paramount International Export, Ltd.  |
| Correspondence Address | Douglas N. Masters<br>Loeb & Loeb LLP<br>321 N. Clark Street, Suite 2300<br>Chicago, IL 60654<br>UNITED STATES<br>chicagopto@loeb.com, dmasters@loeb.com, sceresnie@loeb.com, aocasio@loeb.com |
| Submission             | Opposition/Response to Motion  |
| Filer's Name           | Sharon A. Ceresnie   |
| Filer's e-mail         | sceresnie@loeb.com, dmasters@loeb.com, aocasio@loeb.com, chicagopto@loeb.com   |
| Signature              | /Sharon A. Ceresnie/   |
| Date                   | 05/05/2009   |
| Attachments            | Resp. to Mot. to Dismiss.pdf ( 2 pages )(9591 bytes )  |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**In the Matter of Registration No. 2,523,167**

**Registration Date: December 25, 2001**

FIJI WATER COMPANY LLC; )  
PARAMOUNT INTERNATIONAL )  
EXPORT, LTD., )

Petitioners, )

v. )

GREAT BRANDS OF EUROPE, INC., )

Respondent. )

Cancellation No. 92046807

**PETITIONERS' RESPONSE TO MOTION TO DISMISS**

In response to Respondent's Motion to Dismiss, and in accordance with TBMP § 503.03, Petitioners, Fiji Water Company, LLC and Paramount International Export, Ltd., have filed an Amended Petition to Cancel Respondent's registration for UNTOUCHED BY MAN. PERFECT BY NATURE., Reg. No. 2,523,167. Petitioners Amended Petition to Cancel remedies any and all alleged deficiencies of Petitioners' Original Petition to Cancel set forth in Respondent's Motion to Dismiss and therefore makes Respondent's Motion to Dismiss moot.

**WHEREFORE**, in light of Petitioners' Amended Petition to Cancel, Petitioners respectfully request that the Board deny Respondents' Motion to Dismiss as moot.

Date: May 5, 2009

LOEB & LOEB LLP

By: /s/ Sharon A. Ceresnie  
Douglas N. Masters  
Sharon A. Ceresnie  
321 North Clark St., Suite 2300  
Chicago, Illinois 60654  
Telephone: (312) 464-3100  
Facsimile: (312) 464-3111

*Attorneys for Petitioners*

**CERTIFICATE OF SERVICE**

I, Sharon A. Ceresnie, hereby certify that a copy of this **RESPONSE TO MOTION TO DISMISS** has been served upon:

Kyoko Imai  
Oblon, Spivak, McClelland, Maier & Neustadt, P.C.  
1940 Duke Street  
Alexandria, Virginia 22314

first class mail, postage prepaid, on this 5<sup>th</sup> day of May, 2009.

/s/ Sharon A. Ceresnie \_\_\_\_\_